

ATTACHMENT TO NOTICE OF ALLOWABILITY

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jacqueline E. Hartt, PhD, Reg. No., 37,845 on 01/15/10.

The application has been amended as follows:

IN THE CLAIMS:

In Claim 10, at Line 2, change "wherein the second electrode" to --wherein the first electrode gas inlet has a first opening facing toward a first part-area of the intermediate electrode space defined by the diaphragm and by the first electrode, wherein the second electrode--.

Cancel Claim 11.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 01 December 2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

Allowable Subject Matter

Claims 1, 2, 5-10, and 15-19 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to Claim 1, the prior art of record teaches many of the elements of the claimed invention, including a gas discharge source for generating extreme ultraviolet and/or soft x-radiation, comprising: a first electrode having an opening therein defining an axis of symmetry and providing an outlet for a discharge of radiation; a second electrode comprising a hollow electrode substantially completely surrounding a cavity save for an opening there through positioned along the axis of symmetry, the second electrode opening facing the first electrode; and a diaphragm positioned between the first and the second electrode and having an opening positioned along the axis of symmetry, the diaphragm acting as a differential pump stage, a space between the diaphragm and the first and the second electrode comprising an intermediate electrode space adapted for being filled with a gas, wherein: the first electrode has a gas inlet leading into the intermediate electrode space from exterior the first electrode; and the second electrode has a gas inlet leading into the intermediate electrode space from exterior the second electrode.

However, prior art fails to teach or fairly suggest the device wherein the second electrode gas inlet is not in direct fluid communication with the cavity, in the manner required by Claim 1.

Claims 2, 5-10, and 15-19 are allowed by virtue of their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent to Neff et al. (US 5,023,897) teaches many of the elements of the claimed invention, but does not teach a second electrode gas inlet that is not in direct fluid communication with a cavity surrounded by said second electrode.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANASTASIA MIDKIFF whose telephone number is (571)272-5053. The examiner can normally be reached on M-F 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on 571-272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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/A. M./

Examiner, Art Unit 2882

01/12/10

/Edward J Glick/

Supervisory Patent Examiner, Art Unit 2882